



EDMUND G. BROWN JR.  
GOVERNOR



MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## State Water Resources Control Board

Division of Drinking Water

April 14, 2015

Certified Mail  
7012 3460 0003 1113 0154

Mr. Jeff Cole, District Manager  
Mountain Gate Community Services District  
14508 Wonderland Blvd.  
Redding, CA 96003

TRANSMITTAL OF CITATION NO. 01-02-15(C)006

Dear Mr. Cole,

The State Water Resources Control Board (Water Board) Division of Drinking Water, has issued the Mountain Gate Community Services District a citation, which is attached.

If you have any questions regarding this matter, please contact Steve Watson at (530) 224-4828 or me at (530) 224-4800.

A handwritten signature in black ink, reading "Michael J. McNamara".

Michael J. McNamara, P.E.  
Lassen District Engineer  
Drinking Water Field Operations Branch

Enclosure

cc: Richard Hinrichs, P.E., Chief – Northern California Section, DDW, Redding

KEC\4510002 Mountain Gate CSD\File: Enforcement



1 in Mountain Gate (14508 Wonderland Blvd., Redding, CA 96003), for violation of  
2 California Code of Regulations (CCR), Title 17, Sections 7548 and 7605.

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4 **APPLICABLE AUTHORITIES**

5 **Section 116650 of California Health and Safety Code provides:**

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7 (a) If the Division determines that a public water system is in violation of  
8 this chapter or any regulation, permit, standard, citation, or order issued or adopted  
9 thereunder, the Division may issue a citation to the public water system. The citation  
10 shall be served upon the public water system personally or by certified mail. Service  
11 shall be deemed effective as of the date of personal service or the date of receipt of  
12 the certified mail. If a person to whom a citation is directed refuses to accept delivery  
13 of the certified mail, the date of service shall be deemed to be the date of mailing.

14 (b) Each citation shall be in writing and shall describe the nature of the  
15 violation or violations, including a reference to the statutory provision, standard, order,  
16 citation, permit, or regulation alleged to have been violated.

17 (c) A citation may specify a date for elimination or correction of the  
18 condition constituting the violation.

19 (d) A citation may include the assessment of a penalty as specified in  
20 subdivision (e).

21 (e) The Division may assess a penalty in an amount not to exceed one  
22 thousand dollars (\$1,000) per day for each day that a violation occurred, and for  
23 each day that a violation continues to occur. A separate penalty may be assessed for  
24 each violation.

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26 **California Code of Regulations, Title 17, Section 7584, subsections (a) through**  
27 **(f) provides in relevant part:**

1 The water supplier shall protect the public water supply from contamination by  
2 implementation of a cross-connection control program. The program, or any  
3 portion thereof, may be implemented directly by the water supplier or by  
4 means of a contract with the local health agency, or with another agency  
5 approved by the health agency. The water supplier's cross-connection control  
6 program shall for the purpose of addressing the requirement of Sections 7585  
7 through 7605 include, but not be limited to, the following elements:

- 8 (a) The adoption of operating rules or ordinances to implement the cross-  
9 connection program,
- 10 (b) The conducting of surveys to identify water user premises where cross-  
11 connections are likely to occur,
- 12 (c) The provision of backflow protection by the water user at the user's  
13 connection or within the user's premises or both,
- 14 (d) The provision of at least one person trained in cross-connection control  
15 to carry out the cross-control program,
- 16 (e) The establishment of a procedure or system for testing backflow  
17 preventers, and
- 18 (f) The maintenance of records of locations, tests, and repairs of backflow  
19 preventers.

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21 **California Code of Regulations, Title 17, Section 7605, subsection (c) provides,**  
22 **in relevant part:**

- 23 (c) Backflow preventers shall be tested at least annually or more frequently if  
24 determined to be necessary by the health agency or water supplier. When  
25 devices are found to be defective, they shall be repaired or replaced in  
26 accordance with the provisions of this chapter.

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Records submitted by the CSD show that backflow prevention devices, were not tested during the years from 2000 to 2011, 2013 and 2014. The last cross-connection control survey was conducted in October 2012. The survey identified seven backflow prevention devices that needed testing, and one location where a backflow prevention device was required. Backflow test results were submitted to the Division for three of the backflow prevention devices identified in the cross-connection control survey in November 2012.

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The Division has determined that the CSD violated, Title 17 of the CCR, in that the CSD failed to conduct annual testing of cross-connection control devices identified in the cross-connection program from 2000 to 2011, 2013, and 2014.

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1. Submit a copy of its cross connection control ordinance, adopted by the CSD's Board of Directors, to the Division by May 15, 2015,

1       2. Conduct a cross-connection control survey, and

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3       3. Carry out the cross-connection control program, which includes testing each  
4       cross-connection control device, and submittal of test results along with  
5       records of any repairs made to the devices, to the Division by July 1, 2015.

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7       All documents required by this Citation shall be submitted to the Division to the  
8       following address:

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10                   Michael J. McNamara, P. E.  
11                   Lassen District Engineer  
12                   State Water Resources Control Board  
13                   Division of Drinking Water  
14                   364 Knollcrest Drive, Suite 101  
15                   Redding, CA 96002  
16                   (530) 224-4800

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18       As used in this Citation, the date of issuance shall be the date of this Citation; and the  
19       date of service shall be the date of service of this Citation, personal or by certified mail  
20       on the water system.

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22       Nothing in this Citation relieves the CSD of its obligation to meet the requirements of  
23       Health and Safety Code, Division 104, Part 12, Chapter 4 (California Safe Drinking  
24       Water Act), or any regulation, permit, standard or order issued or adopted thereunder.

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26       The Division reserves the right to make such modifications to this Citation, as it may  
27       deem necessary to protect public health and safety. Such modifications may be  
28       issued as amendments to this Citation and shall be effective upon issuance.

1 **FURTHER ENFORCEMENT ACTION**

2 The California SDWA authorizes the Board to: issue citation with assessment of  
3 administrative penalties to a public water system for violation or continued violation of  
4 the requirements of the California SDWA or any permit, regulation, permit or order  
5 issued or adopted thereunder including, but not limited to, failure to correct a violation  
6 identified in a citation or compliance order. The California SDWA also authorizes the  
7 Board to take action to suspend or revoke a permit that has been issued to a public  
8 water system if the system has violated applicable law or regulations or has failed to  
9 comply with an order of the Board; and to petition the superior court to take various  
10 enforcement measures against a public water system that has failed to comply with  
11 violates an order of the Board. The Board does not waive any further enforcement  
12 action by issuance of this citation.

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14 **PARTIES BOUND**

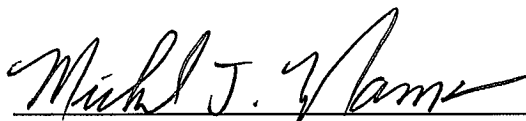
15 This Citation shall apply to and be binding upon the CSD, its officers, directors,  
16 shareholders, agents, employees, contractors, successors, and assignees.

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18 **SEVERABILITY**

19 The Directives of this Citation are severable, and the CSD shall comply with each and  
20 every provision thereof, notwithstanding the effectiveness of any other provision.

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22  
23 April 14, 2015

24 Date



25 Michael J. McNamara , P.E.  
26 Lassen District Engineer  
27 Division of Drinking Water  
28 State Water Resources Control Board  
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